## IN THE UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION

IN RE:

\* CASE NO. 10-64572

Terry Rene Murphy

CHAPTER 13 PROCEEDINGS

Devonna Denise Murphy

JUDGE RUSS KENDIG

Debtor(s)

NOTICE

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The above named debtor(s) have filed papers with the court Objecting to claim 1-1 filed by Credit Acceptance Corp.

#### NOTICE

THE RELIEF PRAYED FOR IN THIS MOTION WILL BE GRANTED Thirty ONE(31)DAYS AFTER ITS DATE OF MAILING UNLESS A WRITTEN OBJECTION THERETO IS FILED WITH THE COURT AND SERVED UPON DEBTOR('S)(S') ATTORNEY AND THE TRUSTEE.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.

If you do not want the court to approve the motion, or if you want the court to consider your views on the motion, then on or before **February 28, 2011** you or your attorney must:

File with the court a written request for a hearing or, if the court requires a written response, an answer, explaining your position at:

> RALPH REGULA US COURTHOUSE 401 MCKINLEY AVE SW CANTON, OHIO 44702

If you mail your (request) (response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to:

- 1. ATTORNEY DOUGLAS L. THRUSH 13 PARK AVE. WEST STE. 314 MANSFIELD, OHIO 44902
- 2. TRUSTEE: TOBY L. ROSEN 400 W. TUSCARAWAS ST.

### CANTON, OHIO 44702

3. UNITED STATES TRUSTEE
200 PUBLIC SQUARE, STE. 20-3300
CLEVELAND, OHIO 44114

If you or your attorney do not take these steps, the court may decide that you do not oppose the motion and may enter an order granting said motion.

Date: January 27, 2011

/s/Douglas L. Thrush
ATTORNEY DOUGLAS L. THRUSH
Bar No. 0009941
13 PARK AVE. WEST STE. 314
MANSFIELD, OHIO 44902
419-522-0004

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IN RE: \* Case No. 10-64572

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Devonna Denise Murphy \* JUDGE RUSS KENDIG

\*

\* OBJECTION TO CLAIM

Debtor(s) \*

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The debtor(s), through their counsel, hereby objects to claim no. 1-1 filed by Credit Acceptance Corp. This claim included an interest rate of 24.49%, which the debtors believe is excessive and should not be allowed.

WHEREFORE, the debtor(s) pray that claim no. 1-1 filed by Credit Acceptance Corp. shall be allowed with an interest rate of 5.25% and not the 24.49% as listed in their proof of claim.

/s/Douglas L. Thrush
Douglas L. Thrush 0009941
13 Park Ave. W., Ste. 314
Mansfield, OH 44902
419-522-0004

### **CERTIFICATE OF SERVICE**

I, <u>Douglas L. Thrush</u>, hereby certify that the foregoing Objection was sent by regular US Mail, postage prepaid, this  $27^{\rm th}$  day of January, 2011 to the following individuals:

Mr. & Mrs. Terry Murphy, 71 Lilac Court E, Mansfield, OH 44907. Credit Acceptance Corp., 25505 W 12 Mile Rd, Ste. 3000, Southfield, MI 48034

I, Douglas L. Thrush, hereby certify that the foregoing Objection was electronically transmitted on or about January 27, 2011 to the following who are listed on the Court's Electronic Mail Notice List:

Toby L Rosen - <a href="mailto:lweir@chapter13canton.com">lweir@chapter13canton.com</a>

/s/Douglas L. Thrush Douglas L. Thrush Attorney For Debtors